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Paper No. 3

Andre L Marais
Blakely Sokoloff Taylor & Zafman LLP
12400 Wilshire Blvd
7th Floor
Los Angeles , CA 90025

Mailed

In re Application of :
Alex Dai-Shun Poon
Application No.: 09/491,703
Filed: January 26, 2000
For: METHOD AND APPARATUS FOR
FACILITATING USER SELECTION
OF AN ITEM CATEGORY IN AN
ONLINE AUCTION

JUL 3 - 2000

Director's Office
Group 2700

DECISION ON PETITION TO
MAKE SPECIAL

This is a decision on the petition under 37 C.F.R. § 1.102, filed May 22, 2000, to make the above-identified application special.

The petition requests that the above-identified application be made special under the procedure set forth in M.P.E.P. § 708.02, item II: Infringement.

A grantable petition under 37 C.F.R. § 1.102(d), M.P.E.P. § 708.02, item II: Infringement, must be accompanied by the required fee and a statement alleging:

- (1) that there is an infringing device or product actually on the market or method in use;
- (2) that a rigid comparison of the alleged infringing device, product, or method with the claims of the application has been made, and that, in his or her opinion, some of the claims are unquestionably infringed; and
- (3) that he or she has made or caused to be made a careful and thorough search of the prior art or has a good knowledge of the pertinent prior art.

Further, Applicant must provide one copy of each of the references deemed most closely related to the subject matter encompassed by the claims if said references are not already of record.

The petition is **GRANTED**.

The application will retain its special status throughout its entire course of prosecution the Patent and Trademark Office, including appeal, if any to the Board of Patent Appeals and Interferences, subject only to diligent prosecution by the applicant.

The application file will be forwarded to the examiner for expedited prosecution.

Kenneth A. Wieder

Kenneth A. Wieder
Special Program Examiner
Technology Center 2700
Communications & Information Processing
(703) 305-4710